

DG GROW, European Commission
Avenue d'Auderghem 45
1049 Brussels, Belgium
Brussels, 6th October 2015

RE: Complaint against French legislation on plastic carrier bags

Dear Mr.

I am writing to you, with great concern regarding French legislation notified to the Commission on September 25th 2015 (Notification number 2015/548/F (France)), concerning methods for implementing a limitation of disposable plastic bags. This draft legislation aims at transposing Directive (EU) No 2015/720 of the European Parliament and of the Council of 29 April 2015, amending Directive 94/62/EC as regards the reduction of the consumption of light plastic bags.

This decree has gone beyond the scope of the EU legislation, in setting the scope to include *“plastic bags with a volume of less than 25 litres, or a thickness of less than 50 microns”*. EuPC believes that this definition, as laid out in Article 1 of the notified decree, goes against the principle of proportionality in defining a new scope which could see bags that fall outside the scope of the EU Directive being targeted under French legislation (i.e. bags with a thickness below 50 microns).

Furthermore, EuPC believes that the inclusion of a 25 litre threshold by French authorities is unsustainable (10 litres threshold would be more in line with the EU scope of below 50 microns in thickness, but this would need to be scientifically proven), and will see a shift in materials due to cost reasons (i.e. paper will be used instead of plastics, as producing a plastic bag with a volume of more than 25 litres is unsustainable). This will mean an effective ban on disposable bags made from plastics, with a volume less than 25 litres and a thickness much greater than 50 microns (the threshold under Directive (EU) No 2015/720). This effective ban will cost jobs in the plastics converting industry.

EuPC, therefore, calls on the European Commission to object to the definition of ‘disposable plastic bags’ as laid out in article 1 of this notified French decree. The Commission must do so in order to ensure that the French authorities comply with the scope of Directive (EU) No 2015/720, and in doing so ensure better regulation that ensures sustainable options for achieving a reduction in consumption of light plastic bags.

I look forward to hearing your comments on this complaint and I would also like to request a meeting with the relevant persons at DG GROW to discuss this complaint further.

Yours sincerely,

About EuPC:

EuPC is the leading EU-level trade association, based in Brussels, representing European plastics converters. Plastics converters are users of plastics raw materials and producers of new products. EuPC now totals 51 European and national plastics converting industry associations; it represents close to 50,000 companies, producing over 45 million tonnes of plastic products every year. The European plastics industry makes a significant contribution to welfare in Europe by enabling innovation, creating quality of life for citizens and facilitating resource efficiency and climate protection. More than 1.6 million people are working in EU converting companies (mainly SMEs) to create a turnover in excess of €300 billion per year.